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08 FEB 19 AM 9:27

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

DEPUTY

UNITED STATES OF AMERICA,

Plaintiff,

v.

Michael CHRIST,

Defendant.

Magistrate Case No.: '08 MJ 0449

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960
Importation & Transportation of a
Controlled Substance (Felony)

The undersigned complainant being duly sworn states:

That on or about February 18, 2008, within the Southern District of California, defendant Michael CHRIST, did knowingly and intentionally import approximately 106.40 kilograms (234.08 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Julia Gerard
Special Agent
Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 19th DAY OF February 2008.


U.S. MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

1
2 I, Special Agent Julia Gerard, declare under penalty of perjury, the following is true and
3 correct:

4 On February 18, 2008, at approximately 11:00 p.m., United States citizen, Michael
5 CHRIST attempted to enter the United States at the San Ysidro Port of Entry, San
6 Diego, California. CHRIST was the driver and sole occupant of a stolen blue Hummer
7 H2 bearing California license plate 5VBE117. The license plate, 5VBE117, did not
8 belong to the vehicle.

9
10 The CBP Officer working primary lane #08 when CHRIST applied for entry into the
11 United States, asked CHRIST for his citizenship. CHRIST presented his California
12 drivers license and California birth certificate to the CBP Officer. The CBP Officer
13 asked for a copy of the registration and CHRIST was unable to locate it; CHRIST stated
14 he forgot where he put it. The CBP Officer checked the plate at the rear of the vehicle
15 and entered the plate. The plate number came back as NCIC stolen. The CBP Officer
16 conducted a brief inspection of the vehicle and noticed the tires tapped solid. A CBP K-
17 9 screened the vehicle and immediately alerted to the presence of narcotic odor on the
18 front drivers side tire.

19
20 During a post-arrest statement, CHRIST waived his Miranda rights. At first, CHRIST
21 stated he thought he might be smuggling something but did not know what. Then,
22 CHRIST stated he thought he might be smuggling aliens, so he checked throughout the
23 vehicle but did not see anybody. Then, CHRIST stated whatever he was smuggling
24 must have been hidden well. Finally, CHRIST stated he thought he might be smuggling
25 marijuana or cocaine.

26
27 CHRIST will be transported to the Metropolitan Correctional Center pending his initial
28 appearance before a U.S. Magistrate Judge in San Diego, California.

29
Julia Gerard 2/19/08
W. McQuinn 2/19/08